7627 Old Receiver Road
Frederick, MD 21701

December 5, 1979

Mr. William J. Bacherman
ATSAIC
Freedom of Information and Privacy Acts Officer
U. S. Secret Service
1800 G Street, NW
Washington, D.C. 20223

Dear Mr. Bacherman:

Thank you for your letter of the 3rd and the enclosed copy of a record referred by the Criminal Division of the Department of Justice. My check for $1.20 is enclosed. I am not getting it certified because that would require an unpatriotic waste of gas for a trip to the bank (we live in the country) and because the Government has been cashing my checks for years without requiring that they be certified.

Your letter reminds me that I have been intending to remind the Secret Service of its delinquencies that go back to 1971 when I filed an all-inclusive request for all records of any form, source or origin relating in any way to the assassination of President Kennedy and any and all investigations of it.

That you act promptly on a belated Justice Department referral reminds me that you have not acted in more than two years on the FBI's referrals which, from the records it has provided me, date to July of 1977. If by any chance the FBI did not make those hundreds of referrals, then I would like to know because that matter is before the courts. If the Secret Service has not ignored them, I do not want the court records that will be created shortly to reflect unfavorably on the Secret Service.

The Secret Service also has not acted on my appeal from the denial of records relating to me under my PA request. I do know of records not provided.

I am taking time for explanations because I believe they can be helpful all around and because there have been some changes in my situation and status since I last conferred with any Secret Service representative.

I then agreed to a request by your people that I not sue the Secret Service and I did not even though they immediately engaged in a double-cross. This relates to providing me with copies of records related to some of the tangible evidence in the assassination and to their transfer. Relevant records from several other agencies detail this double-cross.

In return for receiving these records, to which I am entitled under FOIA in any event, I promised that I would not sue.

I was willing to do this because I believed that, beginning with William Manchester's book, the Secret Service was criticized unfairly. Records not provided should reveal that with the appearance of that book I resorted to both electronic and print media for defense of the agents and the service and to criticize Manchester.

My major interest is in making available as complete as possible an historical record of this great tragedy and of how agencies of government and other institutions of our society functioned then and in its wake. Most of my time now is devoted to compiling and readying for transfer an archive that was requested of me by the Wisconsin State Historical Society and is being deposited in the Stevens Point Branch of the University of Wisconsin.

I am in a public role in this, so recognized by the courts and by the Department of Justice. The easiest and fastest way for you to satisfy yourself about this and most if not all my other representations is to speak with Quinlan J. Shea, Jr., who is the Justice Director of FOIA/PA appeals. He is aware of the litigation that resulted in one of the judicial recognitions of the role in which I have been for some years. He was present in court during C.A. 77-2155, when the court found me to be in a public and somewhat unique role and ordered that the FBI's JFK assassination records be given to me without cost. Thereafter the Department, which is also the defendant in my C.A. 75-1996 for similar King assassination records, held that because of my public role all fees related to records on both subjects would be waived and all relevant records would be provided.

I understand there are other court decisions holding that when the information is primarily for public uses no charges are to be made.

Under existing regulations, cited by the judge in C.A. 77-2155, I also qualify for the waiver. I am 66 years old, am in imperfect health, and my only regular income is from Social Security. In 1975 I suffered acute thrombophlebitis in both legs and thighs. Thereafter arterial insufficiencies developed. The damages are permanent and limiting.

So that he will know what I have told you in the event you consult him, I will send a copy of this to Mr. Shea.

My unmet FOIA requests of the Secret Service were first by subject and then, when they were not complied with, I filed the all-inclusive request. Your office should have them and should have a record of the fact that nothing was provided. You should also have records of what you provided to later requesters. This, of course, was hurtful to me and to my work, and my effort to keep treatment of the subject within reason and balance. I also want to leave a full and complete public archive.

This also is true of my PA request, for not only do I want to provide corrections of unfactual records, I want all criticisms of me to be available in this archive so that those who use it can make independent evaluations of both me and the various agencies.

Some of the withheld Secret Service records may well be embarrassing to it now. I have in mind such things as its overreaction to and uncritical acceptance of a fabricated report that I planned to shoot down a Presidential helicopter. Presidential helicopters are among those that did ruin a chicken farm we then operated but I said no such thing.

However, and not from the Secret Service, I am aware of some of the things it then did. They also were hurtful to me. They continue to be because the unfactual records exist. This includes in other than Secret Service files.

We all have to live with the past, the actual past and the phony past created over a period of years. Like Manchester's of the Secret Service or those of various agencies relating to me and my alleged beliefs.

Under the law as I understand it, the Secret Service also must live with this past and must provide copies of its requested records that are not within the exemptions of the Act.

I am renewing my request for all the records referred to above although their denial has been appealed. I do not want to have to sue to obtain them. FOIA was amended after I made the requests and filed the appeals. The Secret Service can now reexamine this in the light of the 1974 amendements to the Act and the other authorities I cite. It should provide the records without cost, which I ask.

I hope the records will be suitably identified and bound in some manner, as with Acco fasteners, which the FBI now uses. I preserve all records as I receive them for transfer to the public archive referred to above. Where the records were not bound when I received them, I bound them. However, loose papers can get out of order and I want to avoid that possibility.

The record enclosed with your letter does not bear any Justice Department identification. I assume therefore that it is not the actual copy referred by Justice. While I make no issue of it with regard to this record, I do call to your attention that such information and all other information required for proper identificaton is important for historical and other archival purposes.

The Attorney General, if you are not awafe of it, found the assassination of President Kennedy to be an historical case.

If you have any questions, please ask them. You are welcome to examine the archive as I am now assembling it. If you desire any proofs other than those to which I refer you, ask and I will provide them. But I believe that Mr. Shea will confirm this matter if you ask him.

Sincerely,

Harold Weisberg

Enclosure